

Resolved by the Senate, the House of Representatives concurring, That the Legislature of Texas hereby accepts the date fixed by the Hon. W. J. Bryan to address the Legislature of Texas and the citizens of Texas, at the State Capitol building, on the 29th day of March, 1907. Be it further

Resolved, That the Governor, the Speaker of the House of Representatives and the Lieutenant Governor, together with five members of the House, to be appointed by the Speaker, and three members of the Senate, to be appointed by the Lieutenant Governor, shall constitute a reception committee to our distinguished guest on that occasion.

Glasscock, Alexander, Barrett, Brachfield, Chambers, Cunningham, Faust, Green, Greer, Griggs, Grinnan, Harbison, Harper, Holsey, Hudspeth, Kellie, Looney, Masterson, Mayfield, Meachum, Murray, Paulus, Senter, Skinner, Smith, Stokes, Stone, Terrell, Veale, Watson, Willacy.

And find it correctly enrolled, and have this day at 9:05 o'clock a. m., presented same to the Governor for his approval.

MASTERTON, Chairman.

Committee Room,
Austin, Texas, March 12, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate Concurrent Resolution No. 11, Be it resolved by the Senate, the House of Representatives concurring, That the Governor be requested to return House bill No. 513 to the Senate, for correction,

And find it correctly enrolled, and have this day, at 9:05 o'clock a. m., presented same to the Governor for his approval.

MASTERTON, Chairman.

FORTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, March 13, 1907.

Senate met pursuant to adjournment. President Pro Tem. Skinner in the chair.

Roll call, quorum present, the following Senators answering to their names:

Alexander.	Chambers.
Barrett.	Cunningham.
Brachfield.	Faust.

Glasscock.	Mayfield.
Green.	Meachum.
Greer.	Murray.
Griggs.	Paulus.
Grinnan.	Senter.
Harbison.	Skinner.
Harper.	Stokes.
Holsey.	Terrell.
Kellie.	Veale.
Looney.	Watson.
Masterson.	Willacy.

Absent.

Hudspeth.	Smith.
-----------	--------

Absent—Excused.

Stone.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Tuesday, on motion of Senator Mayfield, the same was dispensed with.

(See Appendix for committee reports, petitions and memorials.)

BILLS AND RESOLUTIONS.

By Senators Alexander and Terrell:

Senate bill No. 274, A bill to be entitled "An Act to provide for revising, digesting and publishing the laws, civil and criminal, of the State of Texas, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

Morning call concluded.

BILLS READ AND REFERRED.

The Chair (President Pro Tem. Skinner) had read and referred, after their captions had been read, the following House bills:

House bill No. 540, to Committee on Roads, Bridges and Ferries.

House bill No. 391, to Committee on Roads, Bridges and Ferries.

House bill No. 507, to Committee on Roads, Bridges and Ferries.

House bill No. 474, to Committee on Roads, Bridges and Ferries.

House bill No. 497, to Committee on Roads, Bridges and Ferries.

House bill No. 488, to Committee on Roads, Bridges and Ferries.

House bill No. 527, to Committee on Roads, Bridges and Ferries.

House bill No. 449, to Committee on Roads, Bridges and Ferries.

House bill No. 470, to Committee on Educational Affairs.

House bill No. 533, to Committee on Educational Affairs.

House bill No. 492, to Committee on Towns and City Corporations.

House bill No. 431, to Committee on Stock and Stock Raising.

(See captions in House Message of Journal of 8th inst.)

HOUSE BILL NO. 552.

On motion of Senator Looney, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 552.

The Chair laid before the Senate, on second reading,

House bill No. 552, A bill to be entitled "An Act to grant a charter to the city of Greenville, Hunt county, Texas; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

On motion of Senator Looney, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Looney, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	Watson.
Holsey.	Willacy.

Absent.

Faust.	Meachum.
Hudspeth.	Smith.

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—25.

Alexander.	Glasscock.
Barrett.	Green.
Brachfield.	Greer.
Chambers.	Griggs.
Cunningham.	Grinnan.

Harbison.	Paulus.
Harper.	Skinner.
Holsey.	Stokes.
Kellie.	Terrell.
Looney.	Veale.
Masterson.	Watson.
Mayfield.	Willacy.
Murray.	

Absent.

Faust.	Senter.
Hudspeth.	Smith.
Meachum.	

Absent—Excused.

Stone.

Senator Looney moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 305.

On motion of Senator Glasscock, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 305.

The Chair laid before the Senate, on second reading,

House bill No. 305, A bill to be entitled "An Act to amend an act entitled 'An Act to amend an act to incorporate the city of Austin, to grant it a new charter and to fix its boundaries, passed at the First Called Session of the Twenty-seventh Legislature, being Chapter 3 of the Special Laws of said session, said act approved September 18, 1901, and to repeal all laws in conflict therewith, so as to provide for extending the boundaries of the city, so as to include within such boundaries J. W. Beard's one-acre tract,' passed at the Regular Session of the Twenty-ninth Legislature, being Chapter 32 of the Special Laws of said session, said act having become a law on April 15, 1905, without the approval of the Governor; and repeal all laws in conflict therewith, so as to provide for extending the boundaries of the city so as to include within such boundaries J. E. Shelton's two-acre tract."

On motion of Senator Glasscock, the Senate rule requiring committee reports to lay over for one day was suspended, for the purpose of considering this bill, the same having been reported today. (See Appendix for committee reports.)

On motion of Senator Glasscock, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Glasscock, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Glasscock.	Paulus.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Terrell.
Harbison.	Watson.
Harper.	Willacy.
Holsey.	

Absent.

Faust.	Senter.
Grinnan.	Smith.
Hudspeth.	Veale.
Meachum.	

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—22.

Alexander.	Holsey.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Greer.	Paulus.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Terrell.
Harper.	Watson.

Absent.

Cunningham.	Senter.
Faust.	Smith.
Hudspeth.	Veale.
Meachum.	Willacy.

Absent—Excused.

Stone.

Senator Glasscock moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 150.

On motion of Senator Harper, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 150.

The Chair laid before the Senate, on second reading.

House bill No. 150, A bill to be entitled "An Act to amend Article 1538, Title XI, Chapter 2, of the Revised Civil Statutes of the State of Texas, relative to the powers and duties of the county commissioners courts, and authorizing the levy of a tax of not exceeding 15 cents on the \$100 valuation to pay jurors."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	Watson.
Holsey.	

Absent.

Faust.	Smith.
Hudspeth.	Willacy.
Meachum.	

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—25.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	Watson.
Holsey.	

Absent.

Faust. Smith.
Hudspeth. Willacy.
Meachum.

Absent—Excused.

Stone.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 538.

On motion of Senator Chambers, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 538.

The Chair laid before the Senate, on second reading,

House bill No. 538, A bill to be entitled "An Act to authorize, enable and permit the territory situated within the bounds of the city of Sulphur Springs, in the county of Hopkins and in the State of Texas, and other land and territory adjacent thereto, to incorporate as an independent school district for free school purposes only, to be known as the Sulphur Springs Independent School District, with all the powers and rights and duties of independent school districts formed by incorporations of towns and villages for free school purposes only."

The committee report was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Chambers the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Holsey.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Terrell.
Harper.	Watson.

Absent.

Faust. Smith.
Hudspeth. Veale.
Meachum. Willacy.

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—26.

Alexander.	Holsey.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	Watson.

Absent.

Hudspeth. Smith.
Meachum. Willacy.

Absent—Excused.

Stone.

Senator Chambers moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 317.

On motion of Senator Griggs, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 317.

The Chair laid before the Senate, on second reading,

House bill No. 317, A bill to be entitled "An Act to amend Section 2, Chapter 5, of the General Laws of the State of Texas, passed by the First Special Session of the Twenty-fifth Legislature, limiting the fees of district clerks and other officers, and declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Griggs the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Glasscock.
Barrett.	Green.
Brachfield.	Greer.
Chambers.	Griggs.
Cunningham.	Grinnan.

Harbison.	Murray.
Harper.	Paulus.
Holsey.	Senter.
Kellie.	Skinner.
Looney.	Stokes.
Masterson.	Veale.
Mayfield.	Watson.

Absent.

Faust.	Smith.
Hudspeth.	Terrell.
Meachum.	Willacy.

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—24.

Alexander.	Holsey.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Veale.
Harper.	Watson.

Absent.

Faust.	Smith.
Hudspeth.	Terrell.
Meachum.	Willacy.

Absent—Excused.

Stone.

Senator Griggs moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

VOTE RECONSIDERED.

Senator Looney moved that the vote by which his amendment to Senate bill No. 198, was adopted on yesterday, page 584, be reconsidered and spread the motion on the Journal.

The motion prevailed.

HOUSE BILL NO. 91.

On motion of Senator Masterson, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 91.

The Chair laid before the Senate, on second reading,

House bill No. 91, A bill to be entitled "An Act to amend Articles 1821, 1822, 1823 and 1830 of Title XXXVIII of the Revised Civil Statutes of the State of Texas, relating to escheats, so as to provide more fully when estates shall escheat to and vest in the State, further defining the duties of the district or county attorney, and the district clerk in proceedings for such purpose; providing for personal notice of such escheat proceedings to persons paying taxes and others, designating the nature and effect of the judgment to be rendered therein when in favor of the State; prohibiting sales and issuance of writs of possession within a certain time and providing for divestiture of title acquired by the State; with an emergency clause."

Bill read second time, and passed to a third reading.

On motion of Senator Masterson the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Terrell.
Grinnan.	Veale.
Holsey.	Watson.

Absent.

Harbison.	Meachum.
Harper.	Smith.
Hudspeth.	Willacy.

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—25.

Alexander.	Grinnan.
Barrett.	Harper.
Brachfield.	Holsey.
Chambers.	Kellie.
Cunningham.	Looney.
Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Greer.	Paulus.
Griggs.	Senter.

Skinner. Veale.
Stokes. Watson.
Terrell.

Absent.

Harbison. Smith.
Hudspeth. Willacy.
Meachum.

Absent—Excused.

Stone.

Senator Masterson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 299.

On motion of Senator Cunningham the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 299.

The Chair laid before the Senate, on second reading,

House bill No. 299, A bill to be entitled "An Act to require corporations and their officers to permit the Attorney General or his assistants or representatives to examine all the books, records, documents, etc., of such corporation; to take copies of same in certain cases, making failure to comply with this act a misdemeanor and prescribing punishment therefor, and providing for forfeiture of charter or cancellation of permits of corporations for failure to comply therewith, fixing venue and declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Cunningham, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Holsey.	Willacy.

Absent.

Harbison.	Meachum.
Hudspeth.	Smith.

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—24.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Terrell.
Harper.	Veale.
Holsey.	Willacy.

Nays—1.

Watson.

Absent.

Glasscock.	Meachum.
Harbison.	Smith.
Hudspeth.	

Absent—Excused.

Stone.

Senator Cunningham moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 535.

On motion of Senator Mayfield, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 535.

The Chair laid before the Senate, on second reading,

House bill No. 535, A bill to be entitled "An Act to incorporate the city of Temple in Bell county, Texas; to fix the boundaries thereof; to grant it a special charter; to define its powers; to provide for its government and the management of its affairs, and repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

On motion of Senator Mayfield the Senate rule requiring committee reports to lay over for one day, was suspended for the purpose of considering this bill (see Appendix for committee report, which was made today).

The committee report was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Mayfield the constitutional rule requiring bills to be

read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Holsey.	Willacy.

Absent.

Harbison.	Meacham.
Hudspeth.	Smith.

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—26.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Holsey.	Willacy.

Absent.

Harbison.	Meachum.
Hudspeth.	Smith.

Absent—Excused.

Stone.

Senator Mayfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 162.

On motion of Senator Stokes, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 162.

The Chair laid before the Senate, on second reading,

House bill No. 162, A bill to be entitled "An Act defining commission merchants, requiring such merchants to give bond, imposing a penalty for pursuing the occupation of commission merchant when bond has not been made, providing that suit may be brought on such bonds, fixing the venue of such suits, repealing all laws in conflict, and declaring an emergency."

The committee report, with amendments, was adopted, on motion of Senator Stokes.

Senator Murray offered the following amendment, which was adopted:

Amend by adding to page 2, after the word "such" in line 16 the following: "Whether the merchant is a resident of this State or not."

Senator Murray offered the following amendment:

Amend the bill by adding after the word "office" in line 29, page 1, the following: "Or such bond shall be made in at least one county in which they do business."

Senator Terrell offered the following amendment to the amendment, which was adopted:

Amend the amendment by adding thereto the following: "In which county suits may be maintained in said bond."

The amendment, as amended, was then adopted.

Senator Harper offered the following amendment, which was adopted:

Amend the bill, Section 2, line 27, page 1, by adding after the word "sureties," in said line, the following words: "Who are residents of this State."

Bill read second time, and passed to a third reading.

On motion of Senator Stokes, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Faust.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Terrell.
Harper.	Watson.
Holsey.	Willacy.

Absent.

Cunningham. Smith.
Hudspeth. Veale.

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—26.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Faust.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Terrell.
Harper.	Watson.
Holsey.	Willacy.

Absent.

Cunningham. Smith.
Hudspeth. Veale.

Absent—Excused.

Stone.

Senator Stokes moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 218.

On motion of Senator Harper, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 218.

The Chair laid before the Senate, on second reading,

House bill No. 218, A bill to be entitled "An Act to create a commission composed of the Governor, Secretary of State and Chairman of the Railroad Commission to make a thorough and complete investigation and audit by an expert public accountant or firm of such accountants of the books, papers, accounts and methods of accounting, bookkeeping and transacting business prevailing in the departments of the State Treasurer, Comptroller of Public Accounts, Commissioner of the General Land Office and such other departments as the said board shall deem advisable; and authorizing said board to adopt and prescribe and put in force any such changes in any of the methods or sys-

tems employed in any of the said departments as they shall deem advisable, and requiring the heads of any such departments to dispense with the services of any number of employes in any of the said departments when directed to do so by the said board, and making an appropriation to cover the expenses thereof."

Bill read second time, and passed to a third reading.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Faust.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Watson.
Harper.	Willacy.
Holsey.	

Absent.

Cunningham. Terrell.
Hudspeth. Veale.
Smith.

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—25.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Faust.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Watson.
Harper.	Willacy.
Holsey.	

Absent.

Cunningham. Terrell.
Hudspeth. Veale.
Smith.

Absent—Excused.

Stone.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 140.

On motion of Senator Faust, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 140.

The Chair laid before the Senate, on second reading,

House bill No. 140, A bill to be entitled "An Act to amend Article 641 of the Penal Code of the State of Texas, relating to abortion, and defining the meaning of that term, and providing punishment for those guilty of the offense of abortion as defined."

The committee report, with amendments, was adopted, on motion of Senator Faust.

Bill read second time, and passed to a third reading.

On motion of Senator Faust, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Alexander.	Holsey.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Faust.	Mayfield.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Harbison.	Watson.
Harper.	Willacy.

Absent.

Cunningham.	Murray.
Grinnan.	Smith.
Hudspeth.	Terrell.
Meachum.	Veale.

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—23.

Alexander.	Griggs.
Barrett.	Harbison.
Brachfield.	Harper.
Chambers.	Holsey.
Faust.	Kellie.
Glasscock.	Looney.
Green.	Masterson.
Greer.	Mayfield.

Paulus.	Terrell.
Senter.	Watson.
Skinner.	Willacy.
Stokes.	

Absent.

Cunningham.	Murray.
Grinnan.	Smith.
Hudspeth.	Veale.
Meachum.	

Absent—Excused.

Stone.

Senator Faust moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(Senator Brachfield in the chair.)

HOUSE BILL NO. 10—FREE CONFERENCE COMMITTEE REPORT ADOPTED.

Senator Green called up as a privileged matter, the free conference committee report on House bill No. 10, and moved the adoption of same (see page 582, yesterday's Journal).

The report was adopted by the following vote:

Yeas—24.

Alexander.	Holsey.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Faust.	Mayfield.
Glasscock.	Meachum.
Green.	Murray.
Greer.	Paulus.
Griggs.	Senter.
Grinnan.	Skinner.
Harbison.	Stokes.
Harper.	Willacy.

Nays—1.

Watson.

Absent.

Cunningham.	Terrell.
Hudspeth.	Veale.
Smith.	

Absent—Excused.

Stone.

Senator Looney moved to reconsider the vote by which the report was adopted, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 92.

On motion of Senator Terrell, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 92.

The Chair laid before the Senate, on second reading,

House bill No. 92, A bill to be entitled "An Act amending Title XVIII, Chapter 13, Article 1010 of the Penal Code relating to offenses by railway officials or against railway companies."

Senator Terrell offered the following amendment, which was adopted:

Amend House bill No. 92 by adding thereto Section 11, to read as follows:

"Section 11. The great necessity of this legislation and the crowded condition of the calendar, and the near approach of the close of this session of the Legislature creates an emergency and an imperative public necessity, requiring that the constitutional rule which requires bills to be read on three several days be suspended, and that this act take effect from and after its passage, and it is so enacted."

Bill read second time, and passed to a third reading.

On motion of Senator Terrell, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Terrell.
Harbison.	Watson.
Harper.	Willacy.
Holsey.	

Absent.

Hudspeth.	Veale.
Smith.	

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—27.

Alexander.	Greer.
Barrett.	Griggs.
Brachfield.	Grinnan.
Chambers.	Harbison.
Cunningham.	Harper.
Faust.	Holsey.
Glasscock.	Kellie.
Green.	Looney.

Masterson.	Skinner.
Mayfield.	Stokes.
Meachum.	Terrell.
Murray.	Watson.
Paulus.	Willacy.
Senter.	

Absent.

Hudspeth.	Veale.
Smith.	

Absent—Excused.

Stone.

Senator Terrell moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 274.

On motion of Senator Holsey, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 274.

The Chair laid before the Senate, on second reading,

House bill No. 274, A bill to be entitled "An Act to create a Department of Agriculture."

Bill read second time, and passed to a third reading.

On motion of Senator Holsey, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Terrell.
Harbison.	Watson.
Harper.	Willacy.
Holsey.	

Absent.

Hudspeth.	Veale.
Smith.	

Absent—Excused.

Stone.

The bill was read third time, and Senator Harper offered the following amendment:

Amend the bill, page 7, lines 16 and 17, Section 15, by striking out the fol-

lowing words: "In the collection and dissemination of information beneficial to the agricultural and horticultural interests of the State."

The amendment was adopted by the following vote, a two-thirds vote being necessary:

Yeas—22.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Cunningham.	Paulus.
Faust.	Senter.
Greer.	Skinner.
Grinnan.	Stokes.
Harbison.	Veale.
Harper.	Watson.
Looney.	Willacy.

Nays—3.

Glasscock.	Holsey.
Green.	

Absent.

Griggs.	Smith.
Hudspeth.	Terrell.
Kellie.	

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—27.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Veale.
Harbison.	Watson.
Harper.	Willacy.
Holsey.	

Absent.

Hudspeth.	Terrell.
Smith.	

Absent—Excused.

Stone.

Senator Glasscock moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 13, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 277, A bill to be entitled "An Act to amend Sections 1 and 2, Chapter 166, of the Acts of the Twenty-ninth Legislature, the same being an act entitled 'An Act to fix the salaries for the district judges of this State.'"

House bill No. 149, A bill to be entitled "An Act to amend Section 50 of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to school districts."

House bill No. 205, A bill to be entitled "An Act to define dependent and neglected children, and to regulate the treatment of same."

House bill No. 327, A bill to be entitled "An Act to so amend Article 5083, Chapter 2, Title CIV, of the Revised Civil Statutes of the State of Texas, 1895, as to require railroads to report under oath rolling stock operated by them under rental, hire, lease or other form of contract, and to give name and address of true owner; and requiring county tax assessor to properly assess such property, and declaring an emergency."

House bill No. 148, A bill to be entitled "An Act to amend Section 100 of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to subjects to be taught in the public schools of this State."

House bill No. 364, A bill to be entitled "An Act to prohibit any corporation or receiver operating a line of railway in whole or in part in the State of Texas, or any officer, agent or representative of such corporation or receiver, from requiring or permitting any conductor, engineer, fireman, brakeman, train dispatcher or telegraph operator, who has been on duty for fourteen consecutive hours, to perform any work until he has had at least eight hours' rest, except in certain cases, and to prohibit any such corporation or receiver, or any officer, agent or representative thereof, from requiring or permitting any such employe who has been on duty for ten consecutive hours, and who has gone off duty, to again go on duty or perform any work for such corporation or receiver until he has had at least eight hours' rest, and providing penalties for

violation of this act, and prescribing the venue of suits and prosecution thereunder, and repealing Chapter 31 of the Acts of the Twenty-eighth Legislature, and declaring an emergency."

House bill No. 206, A bill to be entitled "An Act to define 'delinquent child' and to regulate the treatment and control of same," with amendments.

House bill No. 186, A bill to be entitled "An Act to compel hotels, boarding houses, or other public places used for sleeping apartments, to provide means of escape in case of fire from buildings of two or more stories high, not already provided for by cities operating under special charter."

House bill No. 493, A bill to be entitled "An Act to amend Section 15 of Chapter 94, Acts of the Twenty-eighth Legislature of Texas, entitled 'An Act to define, prohibit and declare illegal trusts, monopolies and conspiracies in restraint of trade, and to prescribe penalties for forming or being connected with such trusts, monopolies and conspiracies, and to provide for the suppression of same, and to promote free competition in the State of Texas, and to repeal all laws in conflict therewith,' and declaring an emergency."

House bill No. 390, A bill to be entitled "An Act to amend Section 7, Chapter 10 of the General Laws of Texas, 1905, Acts of the First Called Session of the Twenty-ninth Legislature, in reference to the reserve fund to be kept by State banks."

House bill No. 281, A bill to be entitled "An Act to amend Article 3379 of the Revised Civil Statutes of the State of Texas, 1895, relating to stipulations in contracts requiring notice to be given of claims for damages."

House bill No. 372, A bill to be entitled "An Act to amend Section 13, Chapter 94, of the Acts of the Twenty-eighth Legislature of Texas, defining and prohibiting trusts, monopolies and conspiracies, so as to provide that any person violating the provisions of this act shall be punished by imprisonment in the penitentiary."

House bill No. 221, A bill to be entitled "An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education of such practitioner, and to insure better sanitary conditions in barber shops, and to prevent the spread of disease in the State of Texas."

House bill No. 165, A bill to be en-

titled "An Act to amend Chapter 6, Title XVII, Article 841, of the Penal Code of the State of Texas, as reported by the codifiers to the Twenty-fourth Legislature, and adopted at the Regular Session thereof in 1895, defining 'entry' as used in Article 838 and Article 839 of Chapter 6, Title XVII, of the said Penal Code, defining burglary."

House bill No. 481, A bill to be entitled "An Act to confer upon the Railroad Commission of Texas the power to make temporary freight and passenger rates whenever an emergency arises, the sufficiency of which shall be judged of by said Commission, in order that justice may be done or injury prevented to any person, place or locality; and to suspend temporarily any existing freight or passenger rate, and to establish temporarily any freight or passenger rate where none exists, and to declare an emergency."

House bill No. 264, A bill to be entitled "An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies, and to legalize dissections and experiments by authorized persons," with amendments.

House bill No. 309, A bill to be entitled "An Act to amend Section 34, of Chapter 164, of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to State and county finances and to the finances of cities incorporated under the General Laws of this State, providing for designation of depositories for State, county and city funds," with amendments.

House bill No. 439, A bill to be entitled "An Act to provide for the location and establishment of a State sanitarium for the treatment of persons suffering from tuberculosis, and to provide for the care and treatment of indigent consumptives, and making an appropriation therefor of \$150,000," with amendments.

Respectfully,

BOB BARKER

Chief Clerk, House of Representatives.

BILLS READ AND REFERRED.

The Chair (President Pro Tem. Skinner) had read and referred, after their captions had been read, the following bills:

House bill No. 500, to Judiciary Committee No. 2.

(Referred by Senator Brachfield.)
House bill No. 148, referred to Committee on Educational Affairs.
House bill No. 447, to Committee on Judicial Districts.

HOUSE BILL NO. 84.

On motion of Senator Looney, the pending order of business (House bill No. 14) was suspended, and the Senate took up, out of its order, House bill No. 84.

The Chair laid before the Senate, on second reading,

House bill No. 84, A bill to be entitled "An Act to amend Article 388 of the Penal Code of the State of Texas, so as to make it unlawful to bet at a game played with dice at any place."

There was an amendment by Senator Terrell and Greer pending, and the same was withdrawn.

Senator Green offered the following amendment:

Amend the bill by adding after the word "dollars" in line 7, page 4, and in line 10, page 2, after the second word dollars, the following: "And by imprisonment in the county jail for not less than ten nor more than thirty days."

Senator Masterson offered the following amendment to the amendment, which was adopted:

Amend the amendment by striking out the word "and" and inserting the word "or" and adding the words "or by both such fine and imprisonment."

The amendment, as amended, was then adopted.

Senator Skinner offered the following amendment:

Amend the bill by inserting after the word "crackorloo" in line 28, page 2, the following: "On the game of matching money coins of any denomination for such coins or for other thing of value."

Senator Looney moved the previous question on the amendment and the bill.

The motion being seconded.

The motion prevailed by the following vote:

Yeas—15.

Brachfield.	Looney.
Chambers.	Meachum.
Cunningham.	Paulus.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Terrell.
Harper.	Veale.
Kellie.	

Nays—13.

Alexander.	Barrett.
------------	----------

Faust.	Mayfield.
Glasscock.	Murray.
Green.	Senter.
Greer.	Watson.
Holsey.	Willacy.
Masterson.	

Absent.

Hudspeth.	Smith.
-----------	--------

Absent—Excused.

Stone.

The amendment by Senator Skinner was then adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Looney the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Willacy.

Nays—5.

Faust.	Paulus.
Greer.	Watson.
Murray.	

Absent.

Glasscock.	Smith.
Hudspeth.	

Absent—Excused.

Stone.

The bill was read third time, and passed.

Senator Looney moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

RECESS.

Senator Skinner moved that the Senate recess until 8 o'clock tonight.

Senator Greer moved that the Senate recess until 2:30 o'clock today.

Action being on the longest time first, the motion to recess until 8 o'clock tonight was adopted.

AFTER RECESS.

(Night Session.)

The Senate was called to order by Lieutenant Governor Davidson.

The Chair stated that under the resolution adopted on Monday, that each Senator was entitled to call up a bill as his name was called.

SENATE BILL NO. 59.

Senator Barrett, being the first on the roll call present, called up Senate bill No. 59.

The Chair laid before the Senate on second reading.

Senate bill No. 59, A bill to be entitled "An Act to define 'delinquent child' and to regulate the treatment and control of same."

Senator Green offered the following amendment, which was adopted:

Amend by adding the word "habitually" before the word "jumps" in Section 1, page 1, line 18.

Senator Green offered the following amendment, which was adopted:

Amend the bill, Section 2, page 1, line 29, by adding after the word "county" "and district."

Section 5, page 3, line 14, by adding after the word "county" "and district."

Section 5, page 3, line 14, by adding after the word "county" "or district."

Section 5, page 3, line 18, by adding after the word "county" "or district."

Section 9, page 5, line 11, by adding after the word "county" "or district."

Senator Barrett offered the following amendment, which was adopted:

Amend the bill by adding as Section 12, the following:

"Sec. 12. The crowded condition of the calendar and the near approach to the close of the session, and the importance of this measure create an emergency and a public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days, and that this act be in force from and after its passage, and it is so enacted."

Bill read second time, and ordered engrossed.

On motion of Senator Barrett the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Alexander.	Cunningham.
Barrett.	Faust.
Brachfield.	Green.

Greer.	Mayfield.
Griggs.	Murray.
Grinnan.	Skinner.
Harper.	Stokes.
Holsey.	Terrell.
Kellie.	Veale.
Looney.	Willacy
Masterson.	

Absent.

Chambers.	Paulus.
Glasscock.	Senter.
Harbison.	Smith.
Hudspeth.	Watson.
Meachum.	

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—22.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Cunningham.	Mayfield.
Faust.	Meachum.
Green.	Murray.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Terrell.
Harper.	Veale.
Holsey.	Willacy.

Absent.

Chambers.	Paulus.
Glasscock.	Senter.
Harbison.	Smith.
Hudspeth.	Watson.

Absent—Excused.

Stone.

Senator Barrett moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 54.

Senator Alexander, being present, called up Senate bill No. 54.

The Chair laid before the Senate, on second reading,

Senate bill No. 54, A bill to be entitled "An Act to provide for the punishment of persons responsible for, or contributing to, the delinquency of neglect and dependency of children."

Senator Alexander offered the following amendment, which was adopted:

Amend by adding to the bill:

"Sec. 2. The crowded condition of the calendar and the public interests creates

an emergency and an imperative public necessity authorizing the suspension of the Constitutional rule, requiring bills to be read on three several days, and that this act take effect from and after its passage, and it is so enacted."

(President Pro Tem. Skinner in the chair.)

Bill read second time, and ordered engrossed.

On motion of Senator Alexander the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Holsey.	Willacy.
Kellie.	

Absent.

Faust.	Paulus.
Glasscock.	Senter.
Harbison.	Smith.
Hudspeth.	

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—24.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Holsey.	Willacy.

Absent.

Glasscock.	Paulus.
Harbison.	Senter.
Hudspeth.	Smith.

Absent—Excused.

Stone.

Senator Alexander moved to reconsider the vote by which the bill was

passed, and lay that motion on the table.

The motion to table prevailed.

(Lieutenant Governor Davidson in the chair.)

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 13, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House Concurrent Resolution No. 20, relative to sine die adjournment of the Thirtieth Legislature.

Senate bill No. 18, A bill to be entitled "An Act to provide for acquiring by purchase or condemnation about fourteen acres of ground, being a part of and adjoining the San Jacinto battle ground, and fronting upon the navigable waters of Buffalo Bayou or San Jacinto Bay, and providing for fencing, beautifying and improving the lands of San Jacinto battlefield, now owned or hereafter acquired by the State of Texas, the same to be designated by name as 'San Jacinto State Park,' making an appropriation therefor, and declaring an emergency."

Also grants the request of the Senate for the appointment of a Conference Committee on Senate bill No. 36, and the following has been appointed on the part of the House: Messrs. Duncan, Henderson, Elkins, Thomas of Tyler, and Terry.

House concurs in Senate amendments to Senate bill No. 165 by the following vote: Yeas, 96; nays, 0.

Also concurs in Senate amendments to House Concurrent Resolution No. 6.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 238.

Here Senator Brachfield's name was called and he yielded the floor to the next name, which was Senator Chambers' and who yielded the floor to Senator Stokes, who called up Senate bill No. 238.

The Chair laid before the Senate, on second reading,

Senate bill No. 238, A bill to be entitled "An Act providing for extensions by the Penitentiary Board of the railroad now owned by the State of Texas at the Rusk penitentiary for its maintenance, equipment and operation, providing for condemning right of way

and material therefor, providing for condemnation proceedings; providing for the issuance of bonds by the Penitentiary Board aggregating one hundred and fifty thousand dollars, bearing interest at five per cent per annum, secured by a lien upon said State railroad, its extensions and equipment, providing a method of redemption of said bonds; providing for the purchase of said bonds by the Board of Education out of the permanent school fund; providing that the Railroad Commission of Texas shall have jurisdiction over the traffic carried on and over said State railroad and authorizing said Commission to compel a fair division of freight and passenger charges between said railroad and connecting lines of railroad," etc.

Senator Murray offered the following amendment:

Amend the bill by striking out on page 4, lines 25 and 26, the following: "with accrued interest thereon" down to the "date of such purchase."

The amendment was lost by the following vote:

Yeas—10.

Alexander.	Harper.
Barrett.	Murray.
Chambers.	Skinner.
Greer.	Terrell.
Grinnan.	Veale.

Nays—18.

Brachfield.	Looney.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Meachum.
Green.	Paulus.
Griggs.	Senter.
Harbison.	Stokes.
Holsey.	Watson.
Kellie.	Willacy.

Absent.

Hudspeth.	Smith.
-----------	--------

Absent—Excused.

Stone.

Bill read second time, and ordered engrossed.

On motion of Senator Stokes, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Alexander.	Brachfield.
Barrett.	Chambers.

Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Meachum.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Kellie.	Willacy.
Looney.	

Nays—1.

Murray.

Absent.

Hudspeth.

Smith.

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—23.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Paulus.
Faust.	Senter.
Glasscock.	Skinner.
Green.	Stokes.
Greer.	Veale.
Griggs.	Watson.
Harbison.	Willacy.
Kellie.	

Nays—3.

Grinnan.	Holsey.
Harper.	

Present—Not Voting.

Murray.

Absent.

Hudspeth.	Terrell.
Smith.	

Absent—Excused.

Stone.

Senator Stokes moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 10.

Senator Cunningham, being next on the roll call, called up Senate bill No. 10.

The Chair laid before the Senate, on second reading,

Senate bill No. 10, A bill to be entitled "An Act on the subject of pri-

vate corporations, defining and prohibiting insolvent corporations, domestic and foreign, from doing business in this State; providing for quo warranto or other appropriate judicial proceedings to have the charter or permit of such insolvent corporations forfeited or canceled, as the case may be, and also providing for the cancellation of all stocks and bonds issued by any corporations for purposes other than for money paid to, labor done for or property received by said corporation."

The committee report, which recommended a substitute bill, was adopted, on motion of Senator Looney.

Senator Grinnan offered the following amendment, which was adopted:

Amend by adding after Section 5, the following:

"Sec. 6. The State of Texas shall have a preference lien, except as to liens already existing and those created by the statutes of this State, upon all the property and assets, situated in this State, of any corporation created under the laws of this or any other State, Territory or Nation, to secure the payment of any fine, forfeiture or penalty that has or may hereafter become due by said corporation to this State.

"Sec. 7. Any action, or cause of action for any fine, forfeiture or penalty that the State of Texas has or may have against any corporation chartered under the laws of this or any other State, Territory or Nation, shall not abate or become abated by reason of the dissolution of such corporation.

"Sec. 8. The State of Texas may bring suit for such fine, forfeiture or penalty and for the foreclosure of such lien in any county where the State or any person can now sue any person or corporation for any fine, forfeiture or penalty or debt or foreclose a mortgage or lien, and the Attorney General or the district or county attorney of the district or county having venue of such case, may file suit in the name of this State, and said State shall have the right to the appointment of a receiver or to the writs of attachment, sequestration or injunction, without bond to aid in the enforcement of its rights created by this act, and any action to enforce the liens created by this act, shall be considered an action in rem.

"Sec. 9. The rights and remedies given by this act are cumulative, and shall not affect, change or repeal any other remedies or rights now existing in this State for the enforcement, payment or collection of fines, forfeitures and penalties."

And amend all other sections to conform thereto.

Senator Brachfield offered the following amendment:

Amend the bill by adding the following as Section 1, and numbering the sections to conform.

"Section 1. A railway or other public service corporation is insolvent within the meaning of this act whenever the true value of all its assets, including the true value of its franchise, is less than the true value of all its stock plus the amount of its liabilities; and in any judicial proceeding it will be sufficient for the State to show that such corporation has in any report or statement made by it in obedience to any law of this State alleged facts showing it to be insolvent within the meaning of the above definition."

BRACHFIELD,
TERRELL.

(Senator Willacy in the chair.)

Senator Skinner moved to table the amendment, which motion to table was adopted by the following vote:

Yeas—15.

Alexander.	Looney.
Faust.	Masterson.
Glasscock.	Meachum.
Green.	Skinner.
Griggs.	Senter.
Grinnan.	Watson.
Holsey.	Willacy.
Kellie.	

Nays—12.

Barrett.	Harper.
Brachfield.	Mayfield.
Chambers.	Murray.
Cunningham.	Paulus.
Greer.	Terrell.
Harbison.	Veale.

Absent.

Hudspeth.	Stokes.
Smith.	

Absent—Excused.

Stone.

(Lieutenant Governor Davidson in the chair.)

Senator Skinner moved to reconsider the vote by which the amendment was tabled, and lay that motion on the table.

The motion to table prevailed by the following vote:

Yeas—15.

Alexander.	Griggs.
Faust.	Grinnan.
Green.	Holsey.

Kellie.	Senter.
Looney.	Skinner.
Masterson.	Watson.
Meachum.	Willacy.
Paulus.	

Nays—12.

Barrett.	Harbison.
Brachfield.	Harper.
Chambers.	Mayfield.
Cunningham.	Murray.
Glasscock.	Terrell.
Greer.	Veale.

Absent.

Hudspeth.	Stokes.
Smith.	

Absent—Excused.

Stone.

Senator Looney offered the following amendment, which was adopted:

Amend the caption by adding thereto the following, "and providing that the State shall have a lien for penalties incurred and that same shall not abate on dissolution of the corporation."

Bill read second time, and ordered engrossed.

On motion of Senator Looney the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Holsey.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Terrell.
Grinnan.	Veale.
Harbison.	Watson.
Harper.	Willacy.

Nays—1.

Kellie.

Absent.

Hudspeth.	Stokes.
Smith.	

Absent—Excused.

Stone.

The bill was read third time, and passed by the following vote:

Yeas—27.

Alexander.	Chambers.
Barrett.	Cunningham.
Brachfield.	Faust.

Glasscock.	Mayfield.
Green.	Meachum.
Greer.	Murray.
Griggs.	Paulus.
Grinnan.	Senter.
Harbison.	Skinner.
Harper.	Terrell.
Holsey.	Veale.
Kellie.	Watson.
Looney.	Willacy.
Masterson.	

Absent.

Hudspeth.	Stokes.
Smith.	

Absent—Excused.

Stone.

Senator Looney moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

BILL SIGNED.

The Chair (President Pro Tem. Skinner) gave notice of signing, and did sign in the presence of the Senate after its caption had been read,

House bill No. 513, "An Act to validate sales of school lands to actual settlers in such cases as the applicant or assignee did not settle within the time required by law or did not file within the time required by law the affidavit of settlement, but did settle and continue to reside upon the land in good faith."

SENATE BILL NO. 15.

Senator Faust's name was called, and he called up Senate bill No. 15.

ADJOURNMENT.

On motion of Senator Skinner, the Senate, at 10:10 o'clock, adjourned until tomorrow morning at 10 o'clock.

APPENDIX.

COMMUNICATION.

The Chair had the following invitation read to the Senate:

Fort Worth, Texas, March 11, 1907.

Hon. A. B. Davidson, President of the Senate, Austin, Texas.

Dear Sir: At the last meeting of the city council of the city of Fort Worth, Texas, held on the 4th day of March, 1907, a resolution offered by Alderman

Cook of the Third ward, instructing the mayor and city secretary to invite the State Legislature to visit Fort Worth during the Convention of Cattlemen to be held in said city, beginning March 18, 1907, and continuing five days, was unanimously passed.

Now, therefore, pursuant to said resolution we cordially extend to you, and your honorable body an invitation to be with us at that time, and in behalf of our city administration, supplemented by an enthusiastic and progressive population of over 65,000 souls promise you every courtesy and attention that hospitable people can give; so when you return to your labor usefully serving the people of our great State, pleasant memories will linger of a visit to the Chicago of the Southwest.

W. D. HARRIS,

Mayor.

JOHN A. MONTGOMERY,
City Secretary.

COMMITTEE REPORTS.

(Floor Report.)

Committee Room,
Austin, Texas, March 12, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 392, "An Act to confer upon the county court of San Jacinto county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Statutes of the State of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to such change; to fix the time of holding court; to repeal all laws and parts of laws in conflict with this act; and declaring an emergency,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Watson, Chairman; Veale, Harper, Murray, Barrett, Willacy, Griggs, Hudspeth.

(Floor Report.)

Committee Room,
Austin, Texas, March 12, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred House bill No. 535. A bill to be en-

titled "An Act to incorporate the city of Temple in Bell county, and to fix the boundaries thereof, and to grant it a special charter, and to define its powers and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Chambers, Chairman; Alexander, Masterson, Green, Holsey, Griggs, Willacy.

(Floor Report.)

Committee Room,
Austin, Texas, March 12, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 265, A bill to be entitled "An Act to amend an act passed by the Twenty-ninth Legislature, and known as Chapter 49, also known as House bill No. 565, and found on pages 398 to 440, inclusive, of the Special Laws of the State of Texas, passed at the Regular and First Called Session of the Twenty-ninth Legislature, convened at the city of Austin, January 15, 1905, and adjourned May 14, 1905, which act grants a special charter to the city of Beaumont, and repeals the act of the Legislature granting a special charter to the said city, approved May 12, 1899, and amending Section 44 of said act by repealing the same and inserting in lieu thereof the following, also providing for an emergency,"

Have had the same under consideration, and beg to report same back to the Senate with the recommendation that it do pass, and be not printed.

Chambers, Chairman; Alexander, Holsey, Senter, Griggs, Willacy, Green, Harbison, Masterson.

(Floor Report.)

Committee Room,
Austin, Texas, March 12, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 266, A bill to be entitled "An Act to amend an act entitled 'An Act to incorporate the city of Beaumont, to grant it a special charter, and to repeal an act of the Legislature of the State of Texas, approved May 12,

1899, and entitled "An Act to incorporate the city of Beaumont, to grant it a special charter and to fix its boundaries," and to repeal all acts amendatory of said act, and all special charters and amendments thereto heretofore granted to the city of Beaumont," same being Chapter 49 of the Special Acts of the Twenty-ninth Legislature, passed at the Regular Session thereof, by amending Section 13 of said act, and by adding thereto Sections 13a, 13b, 13c, 13d, 13e and 13f; relating to the office of city treasurer and providing for a depository of city funds and for the selection and designation of such depository and providing certain penalties, and declaring an emergency."

Have had the same under consideration, and beg to report same back to the Senate with the recommendation that it do pass, and be not printed.

Chambers, Chairman; Alexander, Holsey, Senter, Griggs, Willacy, Green, Harbison, Masterson.

(Floor Report.)

Committee Room,
Austin, Texas, March 12, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred

House bill No. 305, A bill to be entitled "An Act to amend an act entitled 'An Act to amend an act entitled an act to incorporate the city of Austin, to grant it a new charter, and to fix its boundaries, passed at the First Called Session of the Twenty-seventh Legislature, being Chapter 111 of the Special Laws of said session, said acts approved September 18, 1901, and to repeal all laws in conflict therewith, so as to provide for extending the boundaries of the city so as to include within such boundaries J. W. Beard's one-acre tract,' passed at the Regular Session of the Twenty-ninth Legislature, being Chapter 32 of the Special Laws of said session, said act having become a law on April 15, 1905, without the approval of the Governor, and repeal all laws in conflict therewith, so as to provide for extending the boundaries of the city so as to include within such boundaries J. E. Shelton's two-acre tract,"

Have had the same under consideration, and report it back to the Senate with the recommendation that it do pass, and be not printed.

Chambers, Chairman; Alexander, Holsey, Senter, Griggs, Willacy, Green, Harbison, Masterson.

(Floor Report.)

Committee Room,
Austin, Texas, March 13, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 246, A bill to be entitled "An Act to incorporate Seagoville School District in Dallas and Kaufman counties as independent school district; and to provide for the election of trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein,"

Have had the same under consideration, and beg leave to report it back to the Senate, with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Grinnan, Glasscock, Senter, Green, Harper, Paulus, Kellie.

(Floor Report.)

Committee Room,
Austin, Texas, March 13, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 55, A bill to be entitled "An Act to amend Section 58 of Chapter 124, of the General School Laws passed by Act of the Twenty-ninth Legislature, relating to Special Local Tax, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate, with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Grinnan, Harper, Paulus, Kellie, Green, Glasscock.

(Floor Report.)

Committee Room,
Austin, Texas, March 13, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

House bill No. 149, A bill to be entitled "An Act to amend Section 50 of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to school districts,"

Have had the same under consideration, and beg to report same back to the Senate, with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Grinnan, Glasscock, Green, Senter, Meachum, Harper, Kellie.

(Floor Report.)

Committee Room,
Austin, Texas, March 12, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 508, "An Act to be entitled 'An Act to create a more efficient road system for Williamson county, Texas, and making county commissioners ex-officio road commissioners, and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; and providing for the condemning of material for the construction and maintenance of public roads, and to provide for the compensation for the material used; and providing for the working of county convicts on the public roads, and the purchase of supplies for such convicts and rewards for the capture of escaped county convicts, and for commutation of sentence for faithful service and good behavior; and defining the powers and duties of road overseers, and to provide for the summoning of hands and teams for road work, and the allowance of time for services of hands and teams on public roads; and fixing a penalty for violation of the same, and relieving them from the performance of such work by the payment of \$3.00; and, providing further, making this act cumulative of the General Laws now in force; and to repeal all laws in conflict with this act, and declaring an emergency,'" Have had the same under consideration, and beg leave to report it back to the Senate, with the recommendation that it do pass, and be not printed.

Green, Chairman; Watson, Meachum, Hudspeth, Senter, Mayfield, Glasscock, Harper, Veale.

Committee Room,
Austin, Texas, March 13, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 196, "An Act to restore and confer upon the county court of Lipscomb county, Texas, the civil and criminal jurisdiction heretofore belonging to said court under the general laws of the State, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 9 o'clock a. m., pre-

sented same to the Governor for his approval.

MASTERSON, Chairman.

Committee Room,
Austin, Texas, March 13, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 137, "An Act to amend Article 5043, Chapter 6, Title CII, Revised Statutes, so as to place Swisher county under the operation of the stock inspection law, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 9 o'clock a. m., presented same to the Governor for his approval.

MASTERSON, Chairman.

Committee Room,
Austin, Texas, March 13, 1907,

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 197, "An Act creating the Kosse Independent School District in Limestone county, Texas," etc.,

And find it correctly enrolled, and have this day, at 9 o'clock a. m., presented the same to the Governor for his approval.

MASTERSON, Chairman.

Committee Room,
Austin, Texas, March 13, 1907,

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 173, "An Act to amend the city charter of the city of Dallas, and the acts amendatory of the said city charter of the city of Dallas, and to amend an act entitled 'An Act to incorporate the city of Dallas, and to grant a new charter,' approved May 9, 1899, and the acts amendatory of said act, by adding thereto Section 120b, and by confirming, ratifying and validating certain series of coupon bonds issued by the city of Dallas by virtue of certain ordinances passed by the city council of the city of Dallas under the charter of the city of Dallas,"

And find it correctly enrolled, and have this day, at 9 o'clock a. m., pre-

sent the same to the Governor for his approval.

MASTERSON, Chairman.

Committee Room,
Austin, Texas, March 13, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 74, "An Act to validate and legalize the sales of real estate belonging to Coleman county, heretofore made in the town of Coleman, Coleman county, Texas, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 9 o'clock a. m., presented same to the Governor for his approval.

MASTERSON, Chairman.

Committee Room,
Austin, Texas, March 13, 1907,

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 230, A bill to be entitled "An Act to create a more efficient road system for Burnet county, Texas,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

FORTY-NINTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, March 14, 1907.

Senate met pursuant to adjournment.

Lieutenant Governor A. B. Davidson in the chair.

Roll call, quorum present, the following Senators answering to their names:

Alexander.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	Watson.
Holsey.	Willacy.
Kellie.	

Absent.

Barrett.	Smith.
Hudspeth.	Stokes.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Mayfield, the same was dispensed with.

(See Appendix for committee reports, petitions and memorials.)

EXCUSED.

On motion of Senator Faust, Senator Barrett was excused from attendance upon the Senate for today, on account of important business.

BILLS AND RESOLUTIONS.

By Senator Kellie.

Senate bill No. 275, A bill to be entitled "An Act to amend an act passed by the Twenty-eighth Legislature March 31, 1903, entitled 'An Act to amend Subdivision 9 of Article 22, Title IV, of the Revised Civil Statutes of the State of Texas, 1895, changing the time of holding court and the length of terms of court in certain counties in the Ninth Judicial District of the State of Texas.'"

Read first time, and referred to Committee on Judicial Districts.

By Senator Senter:

Senate bill No. 276, A bill to be entitled "An Act providing that railroad companies and common carriers may, at convenient points on their lines, establish or require compresses for the compressing of cotton, and for its reduction in bulk of and preparation for shipment. Nothing herein shall be construed as authorizing any railroad company to own any cotton gin, or engage in any business in connection with such compress, except that of reducing the bulk of such cotton for shipment. It shall be unlawful for any person, company, corporation or association of persons engaged in the profession or occupation of cotton buying, to own any cotton compress or any interest in same or shares of stock in any corporation owning such compress. It is hereby made the duty of the Railroad Commission of Texas to ascertain the names of the owners of all cotton compresses in this State, and the shareholders in any corporation owning same. If said compress, or any interest or stock in any corporation owning the same is found to be, by the Railroad Commission of Texas, under the ownership or control of persons engaged in the business of buying and shipping cotton, it shall be the duty of said Railroad Commission of Texas to issue or-